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09/229,046	01/12/1999	MICHAEL G. COUTTS	7890	7721
26880 7590 12/24/2008 MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, 0H 45479-0001			EXAMINER	
			TSEGAYE, SABA	
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# Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Application No. Applicant(s) 09/229.046 COUTTS ET AL. Office Action Summary Examiner Art Unit SABA TSEGAYE 2419 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 18 August 2008. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 148-199 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 148-156.162-170.178 and 179 is/are allowed. 6) Claim(s) 157-161.171-177.and 180-199 is/are rejected. 7) Claim(s) \_\_\_\_\_ is/are objected to. 8) Claim(s) \_\_\_\_ \_\_ are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are; a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abevance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner, Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some \* c) ☐ None of: Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). \* See the attached detailed Office action for a list of the certified copies not received.

1) Notice of References Cited (PTO-892)

Paper No(s)/Mail Date

Notice of Draftsperson's Patent Drawing Review (PTO-948)

Information Disclosure Statement(s) (PTO/SB/08)

Attachment(s)

Interview Summary (PTO-413)
 Paper No(s)/Mail Date.

6) Other:

51 Notice of Informal Patent Application

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### DETAILED ACTION

## Response to Amendment

 This Office Action is in response to the amendment filed 08/18/08. Claims 148-199 are pending, Claims 148-156, 162-170, 178 and 179 are allowed.

### Claim Rejections - 35 USC § 103

 Claims 157-161 and 171-177 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill et al. (US 5,984,178) in view of Slotznick (US 6,108,640).

Regarding claims 157, 159, 160, 171, 173, 174, 176, and 177, Gill discloses a fault monitoring and notification system for ATM machines the system operates to receive (received by an event management 20) status messages (a solicited message [which is one that is transmitted back to the host by an ATM in response to a message or instruction to the ATM form the host]) from banking machines (first and second messages) and actions to be taken including entities to be notified (third message) of conditions which cause status messages to be sent by the various banking machines. The event management system receives the messages and places them in a uniform standard message format (column 9, lines19-31). Gill does not disclose an intelligent agent informs the ATMs of identities of service technicians and contacts technicians from ATM in rank order.

Slotznick teaches that an intelligent agent share both its learned and preprogrammed database with other compute software. The intelligent agent builds a database consisting of names, Address, telephone numbers and other information. The term "expert system" with respect to the intelligent agent, means a device or program which enables a device to simulate

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the knowledge base or problem solving abilities of a human expert in a particular field or fields (column 26, lines 62-65).

It would have been obvious to one ordinary skill in the art at the time the invention was made to use the teaching from Slotznick of an **intelligent agent** to monitoring and notification system disclosed by Gill in order to provide a quick delegate tasks to be accomplished with little or no additional input (see Slotznick column 16, lines 27-30).

Slotznick, further, teaches that the term intelligent agent includes databases which generate and use profiles to create inference ranking rules that would suggest which choices an individual most prefers or which alternatives and individual might prefer (column 26, lines 30-40). Furthermore, Slotznick teaches an intelligent agent that embodied as a stand-alone ATM, kiosk or vending machines, as the machines connected to one or more remote devices, which automatically send order or requests to third parties (column 21, lines 50-55; column 23, lines 55-65).

It would have been obvious to one ordinary skill in the art at the time the invention was made to use the teaching from Slotznick of informing the ATMs of identities of technicians and contacting technicians from ATM in rank order to monitoring and notification system disclosed by Gill in order to provide a system that receives a condition message from a banking machine, and notifies servicers selectively based on the time the condition message is generated and the hours of servicer availability (see Gill column 4, lines 4-8).

Regarding claim 158, Gill discloses wherein the first type of agent retunes to the server, and delivers the diagnostic information to the server upon return (a solicited message is on that is

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transmitted back to the host by an ATM in response to a message or instruction to the ATM from the host: column 8, lines 59-67).

Regarding claims 161 and 175, Gill discloses wherein the third type of agent stops contacting technicians when a specified response is obtained form technicians contacted (column 5, lines 34-44).

Regarding claim 172, Gill discloses wherein the first type of agent returns to the server, and delivers the diagnostic information to the server (column 8, lines 54-67).

 Claims 180-183 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill in view of Hirosawa et al. (US 5,347,646).

Regarding claim 180, Gill discloses that status messages 18 (fault or problem condition) which are transmitted to a host 16 depends on the type and character of the ATMs 12 with are sending the message. Different banking machines have different capabilities, and therefore send different types of status messages (column 8, lines 34-65).

Regarding claims 181 and 182, Gill discloses that a scheduler send additional notification messages to the servicer (or to another servicer) if the servicer has not acknowledged a notification message within a selected time period. Gill does not expressly disclose maintaining a list of available service personnel in at least one ATM and reporting the fault to service personnel on the list (column 5, lines 34-44).

Hirosawa teaches a function of **automatically informing** a remote operation supervisor of occurrence of error or fault upon detection of the error occurring in a computer system. Upon

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detection the errors or faults, calling-up one of remote apparatus by way of a public telephone communication network, based upon on of stored telephone numbers (see fig. 5, column 3, lines 35-43; column 8, lines 21-37). Further, Hirosawa disclose, in fig. 7, that the entry of the message destination having the highest priority is determined by consulting the authorized user table (column 9, lines 35-40).

It would have been obvious to one ordinary skill in the art at the time the invention was made to use the teaching from Hirosawa of auto-operation monitor by maintaining a list of available service personnel and reporting the fault to service personnel on the list to ATM disclosed by Gill. One of ordinary skill in the art would have been motivated to do this because maintaining a list and reporting the fault to service personnel on the list improves in respect to reliability, confidentiality and facility in the system for monitoring fault conditions at ATM and automatically notifying servicer or other entity of fault conditions requiring attention (see Gill column 1, lines 8-12; Hirosawa column 1, lines 5-15).

Regarding claim 183, Hirosawa discloses updating the list to indicate changes in availability of service personnel (column 5, lines 49-51).

Claims 184-186 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill et al.
in view of Hirosawa et al. as applied to claim 180 above, and further in view of Sahr (US
6,085,976).

Regarding claim 184, Gill et al. in view of Hirosawa et al. discloses all the claim limitations as stated above, except for verifying security of the intelligent agent.

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Sahr teaches to safeguard the card contents and protect the data exchange, the card issuer, system entities or cardholder can lad authenticity data and security information into the passenger card. To allow the communication between proprietary platforms, the card data and database information can be automatically translated or converted for a particular data format and contents into data/information with another format and contents (column 13, lines 52-63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings from Sahr of verifying security of the intelligent agent to monitoring and notification system disclosed by Gill in view of Hirosawa in order to prevent illegal attempts for operating the system by unauthorized persons form remote location.

Regarding claim 185, Hirosawa discloses updating the list to indicate changes in availability of service personnel (column 5, lines 49-51).

Regarding claim 186, Gill discloses receiving a condition message from a banking machine, and notifies servicers selectively based on the time the condition message is generated and the hours of servicer availability.

 Claim 187 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gill in view of Hirosawa as applied to claim 180 above, and further in view of Slotznick (US 6,108,640).

Gill in view of Hirosawa discloses all the claim limitations as stated above except for launching an intelligent agent onto the network.

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Slotznick teaches an intelligent agent that embodied as a stand-alone ATM, kiosk or vending machines, as a kiosk connected to one or more remote devices, which automatically send order or requests to third parties (column 21, lines 50-55; column 23, lines 55-65).

It would have been obvious to one ordinary skill in the art at the time the invention was made to use the teaching from Slotznick of launching an intelligent agent to ATM disclosed by Gill in view of Hirosawa. One of ordinary skill in the art would have been motivated to do this because launching an intelligent agent onto the network to contact service personnel on the list improves in respect to reliability, confidentiality and facility in the system for monitoring fault conditions at ATM and automatically notifying servicer or other entity of fault conditions requiring attention (see Gill column 1, lines 8-12; Hirosawa column 1, lines 5-15).

 Claims 188 and 199 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill et al. (US 5,984,178) in view of Johnstone (US 3,882,305).

Gill discloses a system operates to receive (received by an event management 20) status messages (a solicited message) from banking machines (querying the ATMs...) and actions to be taken including entities to be notified (scheduling maintenance) of conditions which cause status messages to be sent by the various banking machines. Gill does not disclose making predictions as to times when specific maintenance procedures should be performed.

Johnstone discloses a diagnostic and a maintenance method operative remotely from a machine tool site including the steps of: causing the machine tool to cycle through a predetermined cycle of operation, collecting signals derived from the machine and **predicting** incipient abnormal condition before they occur (column 2, lines 1-7).

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It would have been obvious to one ordinary skill in the art at the time the invention was made to use the teaching from Johnston of predicting as to times when specific maintenance procedures should be performed to fault monitoring system disclosed by Gill in order to facilitate preventative maintenance and diagnosis of abnormal operating condition before they occur (see Johnstone column 1, lines 63-64).

 Claim 189 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gill in view of Johnstone as applied to claim 188 above, and further in view of Sahr (US 6,085,976).

Gill in view of Johnstone discloses all the claim limitations as stated above, except for verifying security of the intelligent agent.

Sahr teaches to safeguard the card contents and protect the data exchange, the card issuer, system entities or cardholder can lad authenticity data and security information into the passenger card. To allow the communication between proprietary platforms, the card data and database information can be automatically translated or converted for a particular data format and contents into data/information with another format and contents (column 13, lines 52-63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings from Sahr of verifying security of the intelligent agent to monitoring and notification system disclosed by Gill in View of Johnstone in order to prevent illegal attempts for operating the system by unauthorized persons form remote location.

 Claims 190-193 and 195-198 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill at al. (US 5,984,178) in view of Sahr (US 6,085,976).

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Regarding claims 190 and 195, Gill discloses a method of operating a server system and associated ATMs, comprising: a computer that connected to a data store includes data representative of condition messages as well as **servicers** and other entities to be contacted when particular machines generate particular condition messages. The data stores also includes, for example, telephone, pager and fax numbers and other contact information on how a particular servicer is to be contacted concerning a type of fault condition (column 4, line 66-column 5, line 10). Further, Gill discloses that a scheduler send additional notification messages to the servicer (or to another servicer) if the servicer has not acknowledged a notification message within a selected time period. Gill does not expressly disclose maintaining a list of available service personnel in at least one ATM and reporting the fault to service personnel on the list (column 5, lines 34-44).

However, Gill does not disclose storing the list in each ATM.

Sahr teaches distribute databases (10, 20, 30) scheme comprises data base storage means for storing data and information in distributed manner between and among a plurality of remote system entities that comprise the card station, travel center and service providers respectively. The distributed databases including the passenger card always contain the same most updated set of data. The availability of this most up-to-date data is guaranteed by the system's build-in mechanism of communicating data in a real-time manner (column 1, line 58-column 2, line 4; column 5, lines 11-40) to all system components. For example, the passenger card can be loaded with additional information such as a permit or license for admission of security/maintenance personnel or merchants which can be compared against the provider's database list that contains all valid permits and licenses (e.g. column 24, line 54-column 25,

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line11). Further, Sahr teaches that the system deploys a plurality of functional components and set of computer programs to implement its operational tasks, including the communications of data and the usage of the passenger card between and among PCs, POS-terminal, ATM-machines, card read/write devices and other computer peripherals (e.g. column 1, lines 22-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching from Sahr of storing list of service personnel to ATM disclosed by Gill. One of ordinary skill in the art would have been motivated to do this because storing such a list allows the system to select particular service personnel from the list of service personnel and ensure only authorized service/maintenance personnel is allowed to perform maintenance of the device to enhance security.

Regarding claim 191, Gill discloses all the claim limitations as stated above, except for an intelligent agent.

Sahr teaches functional structure, including the electronic card template of the multiapplication passenger card, which facilitates the card computerized means for compiling the
card contents and for communicating data and information between and among the remote
databases including the portable passenger card. The means includes the capturing, inputting,
storing, retrieving, displaying, evaluating, computing, processing, and exchanging of
data/information needed for the card's usage and the system's operation. The card contents
can also be manipulated, displayed, and exchanged via commercially available computers, POS
terminal or automated data collection and inputting means that are coupled to the passenger card
(column 13, lines 40-52).

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It would have been obvious to one ordinary skill in the art at the time the invention was made to use the teaching from Sahr of intelligent agent to ATM discloses by Gill. One of ordinary skill in the art would have been motivated to do this because intelligent agent enables a device, to simulate the knowledge base or problem solving abilities.

Regarding claim 192, Gill discloses all the claim limitations as stated above, except for verifying security of the intelligent agent.

Sahr teaches to safeguard the card contents and protect the data exchange, the card issuer, system entities or cardholder can lad authenticity data and security information into the passenger card. To allow the communication between proprietary platforms, the card data and database information can be automatically translated or converted for a particular data format and contents into data/information with another format and contents (column 13, lines 52-63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings from Sahr of verifying security of the intelligent agent to monitoring and notification system disclosed by Gill in order to prevent illegal attempts for operating the system by unauthorized persons form remote location.

Regarding claim 193, Gill discloses that status messages 18 (fault or problem condition) which are transmitted to a host 16 depends on the type and character of the ATMs 12 with are sending the message. Different banking machines have different capabilities, and therefore send different types of status messages (column 8, lines 34-65). Gill does not disclose maintaining a list of available service personnel in at least one ATM and launching an intelligent agent onto the network to contact service personnel on the list.

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Sahr teaches distribute databases (10, 20, 30) scheme comprises data base storage means for storing data and information in distributed manner between and among a plurality of remote system entities that comprise the card station, travel center and service providers respectively. The distributed databases including the passenger card always contain the same most updated set of data. The availability of this most up-to-date data is guaranteed by the system's build-in mechanism of communicating data in a real-time manner (column 1, line 58-column 2, line 4; column 5, lines 11-40). For example, the passenger card can be loaded with additional information such as a permit or license for admission of security/maintenance personnel or merchants which can be compared against the provider's database list that contains all valid permits and licenses (column 24, line 54-column 25, line 11). Further, Sahr teaches that the system deploys a plurality of functional components and set of computer programs to implement its operational tasks, including the communications of data and the usage of the passenger card between and among PCs, POS-terminal, ATM-machines, card read/write devices and other computer peripherals (column 1, lines 22-32). Sahr, further, teaches functional structure, including the electronic card template of the multi-application passenger card, which facilitates the card computerized means for compiling the card contents and for communicating data and information between and among the remote databases including the portable passenger card. The means includes the capturing, inputting, storing, retrieving, displaying, evaluating, computing, processing, and exchanging of data/information needed for the card's usage and the system's operation. The card contents can also be manipulated. displayed, and exchanged via commercially available computers, POS terminal or automated

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data collection and inputting means that are coupled to the passenger card (column 13, lines 40-52).

It would have been obvious to one ordinary skill in the art at the time the invention was made to use the teaching from Sahr of storing list of service personnel and launching an intelligent agent to ATM disclosed by Gill. One of ordinary skill in the art would have been motivated to do this because maintaining a list and launching an intelligent agent onto the network to contact service personnel on the list improves in respect to reliability, confidentiality and facility in the system for monitoring fault conditions at ATM and automatically notifying servicer or other entity of fault conditions requiring attention (see Gill column 1, lines 8-12)

Regarding claims 196, Gill discloses a scheduler window 122 (Fig. 34) that indicates particular actions that will be taken and the time when the actions are scheduled to be taken. Further, Gill discloses a system that receives a condition message from a banking machine, and notifies servicers selectively based on the time the condition message is generated and the hours of servicer availability. However, Gill does not disclose periodically sends schedules to the ATMs which indicate times of availability of the service personnel.

Sahr teaches the **distributed databases** including the **passenger card** always contain the same most updated set of data. The availability of this most up-to-date data is guaranteed by the system's build-in mechanism of communicating data in **a real-time manner (column 1, line 58-column 2, line 4; column 5, lines 11-40).** It would have been obvious to one of ordinary skill in the art at the time the invention was made to periodically update the schedules, such as that

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suggested by Sahr, to the system of Gill in order to provide up-to-date schedules of the service personnel, thereby provides efficient system.

Regarding claims 197 and 198, Gill discloses a system which automatically determines the nature of a condition at an automated banking machine and automatically notifies servicers selectively based on the nature of the condition indicated by the condition message (column 3, lines 48-59; column 4, lines 5-8).

 Claim 194 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gill et al. in view of Sahr (US 6,085,976) and Hirosawa et al. (US 5,347,646).

Gill in view of Sahr discloses all the claim limitations as stated above, except for repeatedly contacts different service personnel until a service person agrees to handle the fault.

Hirosawa disclose, in fig. 7, that the entry of the message destination having the highest priority is determined by consulting the authorized user table (column 9, lines 35-40). Fig. 5, illustrates a structure of authorized user table 9 (column 8, lines 21-27).

It would have been obvious to one ordinary skill in the art at the time the invention was made to use the teaching from Hirosawa of auto-operation monitor by maintaining a list of available service personnel and launching an intelligent agent to ATM disclosed by Gill in view of Sahr. One of ordinary skill in the art would have been motivated to do this because maintaining a list and launching an intelligent agent onto the network to contact service personnel on the list improves in respect to reliability, confidentiality and facility in the system for monitoring fault conditions at ATM and automatically notifying servicer or other entity of

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fault conditions requiring attention (see Gill column 1, lines 8-12; Hirosawa column 1, lines 5-15).

## Allowable Subject Matter

10. Claims 148-156, 162-170, 178 and 179 allowed.

## Response to Arguments

 Applicant's arguments with respect to claims 148-199 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues (Remarks, pages 38-39) that Gill and Slotznick do not disclose the claim recites three types of "intelligent agent." It is respectfully submitted that the rejection is based on the combined teaching of the Gill reference and the Slotznick reference. Gill discloses a method of operating a server system that operates to receive (received by an event management 20) status messages (a solicited message [which is one that is transmitted back to the host by an ATM in response to a message or instruction to the ATM form the host]) from banking machines (first and second messages) and actions to be taken including entities to be notified (third message) of conditions which cause status messages to be sent by the various banking machines. Slotznick teaches that an intelligent agent share both its learned and preprogrammed database with other compute software (second). The intelligent agent builds a database consisting of names, Address, telephone numbers and other information. Furthermore, Slotznick teaches an intelligent agent that embodied as a stand-alone ATM, kiosk or vending machines, as the machines connected to one or more remote devices, which automatically send order or requests to third parties (column 21, lines 50-55; column 23, lines 55-65).

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Applicant argues (Remarks, page 40) that the office action has not shown that in the references "service person A" is notified of a fault, if "service person A does not respond then "service person B" is notified." Examiner respectfully disagrees. Gill clearly discloses a scheduler send additional notification messages to the servicer (or to another servicer) if the servicer has not acknowledged a notification message within a selected time period. Hirosawa teaches list of available service personnel based on their priority.

Applicant argues (Remarks, pages 43-44) that no valid teaching has been given for combining the references. The rational is based on a goal of "facilitating preventative maintenance" etc. However, Johnstone, by himself, attains that goal. There is no reason to add Gill to Johnston to attain the goal. Examiner respectfully disagrees. Gill discloses a server system and associated ATMs and a system operates to receive (received by an event management 20) status messages (a solicited message) from banking machines (querying the ATMs...) and actions to be taken including entities to be notified (scheduling maintenance) of conditions which cause status messages to be sent by the various banking machines. Johnstone assists with predict abnormal condition before they occur.

Applicant, further, argues that "Johnstone makes no "predictions" based on fault conditions in Gill". "That is, there is no connection between the reported fault conditions in Gill and the "predictions" in Johnstone." Examiner respectfully disagrees. Gill discloses a system for monitoring fault conditions at automated banking machines and automatically notifying a servicer or other entity of fault conditions (which has occurred) requiring attention. Further, Gill discloses some faults may still allow an ATM to be operable or partially operable in degraded mode. Furthermore, Gill shows, in Fig. 29 and 30, the eighth column of the table corresponds to

read on the references applied.

threshold values which enable the user to include in memory certain prior conditions which, if they have been found to have occurred, dictate the action to be taken when the fault condition arises. Johnstone assists with predict abnormal condition before they occur based on comparing operating corresponding characteristics which have been previously collected for the identical machine. Examiner believes that claims, given their broad reasonable interpretation,

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SABA TSEGAYE whose telephone number is (571)272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Saba Tsegaye Examiner Art Unit 2419

/S. T./ Examiner, Art Unit 2419

/Wing F. Chan/ Supervisory Patent Examiner, Art Unit 2419 12/22/08